

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Susan D. Wigenton
: :
v. : Crim. No. 22-13 (SDW)
: :
JOSEPH SCHWARTZ : **SCHEDULING ORDER**
: :

This matter having come before the Court for arraignment on February 7, 2022; and the United States being represented by Philip R. Sellinger, United States Attorney for the District of New Jersey (by V. Grady O'Malley, Sr. Litigation Counsel); Joseph Schwartz being represented by Kevin H. Marino, Esq., and the parties having met and conferred and having determined that this matter may be treated as a criminal case that requires extensive discovery within the meaning of paragraph 4 of this Court's Standing Order for Criminal Trial Scheduling and Discovery; and the parties having agreed on a schedule for the exchange of discovery and the filing and argument of pretrial motions; and the Court having accepted such schedule, and for good cause shown,

It is on this 16th day of February, 2022, ORDERED that:

1. The Government shall provide any oral, written or recorded statement of the Defendant or, in the case of an organizational defendant, of any person who is legally able to bind the Defendant because of that person's position as a director, officer, employee or agent of the Defendant on or before March 12, 2022.
2. The Government shall provide exculpatory evidence, within the meaning of Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, on or before March 12, 2022. Exculpatory evidence that becomes known to the Government after that date shall be disclosed reasonably promptly after becoming known to the Government.

3. The Government shall provide all remaining discovery required by Federal Rule of Criminal Procedure 16(a)(1) on a rolling basis, with the first tranche of remaining discovery due on or before May 15, 2022. Subsequent tranches shall be produced on a schedule mutually agreeable to the parties with the goal of providing substantially all remaining Rule 16(a)(1) discovery by August 15, 2022. If, after this date, the Government determines it has additional evidence that falls under Rule 16(a)(1), the Government shall notify defense counsel and provide such discovery within two weeks of making that determination.

4. The Defendant shall provide any and all notices required by Federal Rules of Criminal Procedure 12.1, 12.2, and 12.3 on or before September 15, 2022.

5. The Defendant shall provide all discovery required by Federal Rule of Criminal Procedure 16(b)(1) on or before September 15, 2022, or 30 days after the Government has notified defense counsel that it has produced all or substantially all discovery required to be produced pursuant to Rule 16(a)(1), whichever date is later.

6. A status conference shall be held on TO BE SET, 2022, at _____ a.m./p.m., in order to assess the progress of discovery; to determine a schedule for the production of additional discovery if necessary; to consider any discovery disputes if necessary; to set or consider setting a schedule for the next status conference in this matter; and to set or consider setting a schedule for pretrial motions if a date for the completion of discovery can be determined.

7. Trial will be scheduled for TO BE SET.



Honorable Susan D. Wigenton
United States District Judge

Consented to as to form and entry:



Shawn T. Noud
Trial Attorney



Kevin H. Marino
Counsel for Defendant